



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8
999 18TH STREET - SUITE 300
DENVER, CO 80202-2466
Phone 800-227-8917
<http://www.epa.gov/region08>

DOCKET NO.: TSCA-08-2003-0001

IN THE MATTER OF:

COORS BREWING COMPANY

12TH and Ford Street

Golden, CO 80401

A Colorado Corporation

Respondent

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FINAL ORDER

Pursuant to 40 C.F.R. § 22.18, of EPA's Consolidated Rules of Practice, the Consent Agreement resolving this matter is hereby approved and incorporated by reference into this Final Order. The Respondents are hereby ORDERED to comply with all of the terms of the Consent Agreement, effective immediately upon receipt by Respondents of this Consent Agreement and Final Order.

October 9, 2003

DATE

SIGNED

Alfred C. Smith
Regional Judicial Officer



**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

Docket No.: TSCA-08-2003-0001

IN THE MATTER OF:

In the Matter of:)	
Coors Brewing Company)	
12 th and Ford Street)	
Golden, CO 80401)	CONSENT AGREEMENT
a Colorado Corporation,)	
<u>Respondent.</u>)	

Complainant, United States Environmental Protection Agency, Region 8, and
Respondent, Coors Brewing Company by its undersigned representatives, hereby consent and
agree as follows:

1. The United States Environmental Protection Agency (EPA), Region 8, initiated this proceeding pursuant to Section 15 of the Toxic Substances Control Act (TSCA), 15 U.S.C. Section 2614.
2. This Consent Agreement shall apply to and be binding upon Respondent, its officers, directors, servants, employees, agents, successors and assigns, including, but not limited to, subsequent purchasers.
3. Respondent, stipulates that EPA has jurisdiction over the subject matter alleged in the Complaint and Respondent waives any defenses it might have as to jurisdiction and venue, and, without admitting or denying the factual allegations contained in the Complaint, consents to the terms of this Consent Agreement.
4. Respondent hereby waives its right to a judicial or administrative hearing on any issue of law or fact set forth in the Complaint.

5. Respondent has demonstrated to the satisfaction of EPA that it has achieved compliance with the requirements that formed the basis of the Complaint.

6. Respondent, by executing this Consent Agreement, hereby certifies to EPA that it is now in compliance with each of the relevant provisions of Section 15 of TSCA, 15 U.S.C. Section 2614.

7. Complainant agrees to settle this matter for three thousand four hundred dollars (\$3,400).

8. Respondent consents to the payment of a civil penalty in the amount of three thousand four hundred dollars (\$3,400).

9. Within thirty (30) days of receiving a copy of the Final Order in this matter, Respondent shall submit a cashier's or certified check, to the order of the "Treasurer, United States of America," in the amount of three thousand four hundred dollars (\$3,400) to:

U.S. EPA, Region 8
(Regional Hearing Clerk)
P.O. Box 360859M
Pittsburgh, PA 15251

Respondent shall provide a copy of the check to:

Ms. Tina Artemis, RC and
Regional Hearing Clerk
U.S. EPA, Region 8
999 18th Street, Suite 300
Denver, Colorado 80202-2466

Brenda L. Morris, 8LEP
Legal Enforcement Program
U.S. EPA, Region 8
999 18th Street, Suite 300
Denver, Colorado 80202-2466

Interest and late charges shall be paid as specified in paragraph 11 herein.

10. The penalty specified in Paragraph 8, above, shall represent civil penalties assessed by EPA and shall not be deductible for purposes of Federal taxes.

11. Respondent further agrees and consents that if Respondent fails to pay the penalty amount within 30 days of receipt of the Final Order, interest on the penalty amount shall accrue at a rate established by the Secretary of the Treasury pursuant to 31 U.S.C. § 3717. A late payment charge of fifteen dollars (\$15.00) shall be imposed after the first 30 days that the payment, or any portion thereof, is overdue, with an additional charge of fifteen dollars (\$15.00) imposed for each subsequent 30-day period until the payment due is made. In addition, a six percent (6%) per annum penalty shall be applied on any principal amount not paid within 90 days after receipt of the final order.

12. Nothing in this Agreement shall relieve Respondent of the duty to comply with TSCA and its implementing regulations. This Agreement does not release Respondent from criminal liability under any federal statute. Nor does this Agreement relieve Respondent of liability relating to any imminent and substantial endangerment to public health or welfare or the environment. Notwithstanding the foregoing, this Consent Agreement constitutes a settlement and release by EPA of all claims for civil penalties pursuant to TSCA for the violations alleged in the Complaint.

13. Each undersigned representative of the parties to this Consent Agreement certifies that he or she is fully authorized by the party represented to enter into the terms and conditions of this Consent Agreement and to execute and legally bind that party to it.

14. Each party shall bear its own costs and attorneys fees in connection with the action resolved by this Consent Agreement.

In The Matter Of: Coors Brewing Co.
Docket No.: TSCA-08-2003-0001

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8, Office of Enforcement, Compliance
and Environmental Justice, Complainant.**

Date: 10/9/03

By: **Michael T. Risner**
Michael T. Risner, Director
David J. Janik, Supervisory Attorney
Legal Enforcement Program

Date: 10/9/03

By: **SIGNED**
Martin Hestmark, Director
Technical Enforcement Program

Date: 10-9-03

By: **SIGNED**
Brenda L. Morris, Attorney
Legal Enforcement Program

COORS BREWING COMPANY

Date: Oct. 9, 2003

By: **SIGNED**
(Signature of authorized person/Title)

Jere Zimmerman, Director Corporate Environmental
Health and Safety

Print Name of Signatory

CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **CONSENT AGREEMENT/FINAL ORDER** in the matter of **Coors Brewing Co., DOCKET NO.: TSCA-08-2003-0001** was filed with the Regional Hearing Clerk on October 9, 2003

Further, the undersigned certifies that a true and correct copy of the document was delivered to Brenda Morris, Enforcement Attorney, U.S. EPA - Region 8, 999 18th Street - Suite 300, CO 80202-2466. True and correct copies of the aforementioned document was placed in the United States mail certified/return receipt on October 9, 2003, to:

Jere Zimmerman, Director
Environmental Health and Safety
Coors Brewing Co.
12th and Ford Street
Golden, CO 80401

October 9, 2003

SIGNED _____
Tina Artemis
Regional Hearing Clerk

**THIS DOCUMENT WAS FILED IN THE REGIONAL HEARING CLERK'S OFFICE ON
OCTOBER 9, 2003**